

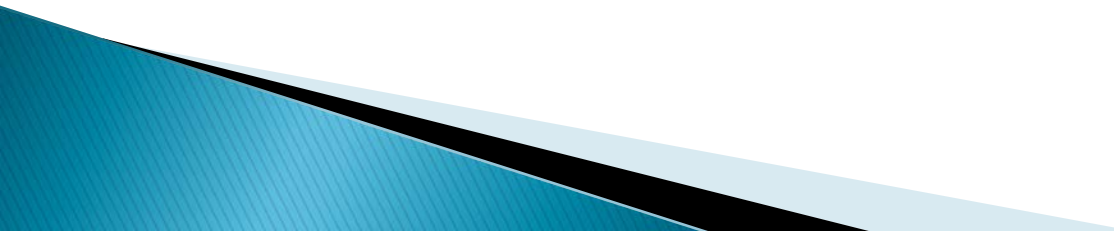
Ethics

Sara Anne Hook, M.L.S., M.B.A., J.D.
Institute for Paralegal Education webinar
April 16, 2013


A. Liability Associated with Drafting Legal Documents

- ▶ Two kinds of liability
 - Legal – malpractice by client
 - Ethical – disciplinary action
- ▶ Specific issues
 - Required review by lawyer
 - Unauthorized practice of law (UPL)
 - Metadata
 - Clarity of roles with clients
 - Errors caused by over-reliance on technology
- ▶ Relevant ethics rules
 - Lawyers
 - Paralegals

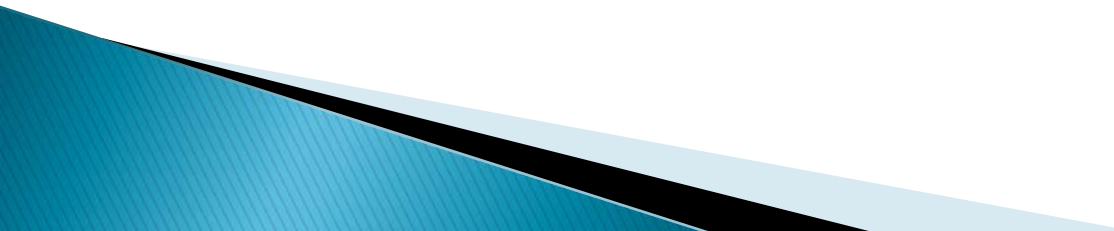
B. Rules of Professional Conduct

- ▶ ABA Model Rules of Professional Conduct
 - Revisions as part of Ethics 20/20 activities
 - ▶ State-level example: Indiana Rules of Professional Conduct
 - Use of Non-Lawyer Assistants (subject to the provisions in Rule 5.3) Guidelines 9.1 through 9.10
 - ▶ Paralegals
 - NALA Code of Ethics and Professional Responsibility
 - NFPA Model Code of Ethics and Professional Responsibility and Guidelines for Enforcement
 - State-level example: Indiana Paralegal Association Code of Ethics and Professional Responsibility and Rules for Enforcement
- 

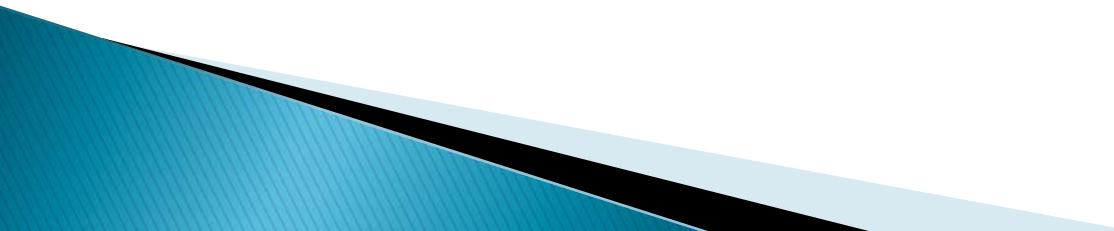
C. Client Confidentiality

- ▶ Specific duties
 - To current clients
 - To former clients
 - To prospective clients
 - Other duties
 - ▶ Relevant ethics rules
 - Lawyers
 - Paralegals
 - ▶ Specific issues
 - With people
 - With technology
 - With physical security
 - Inadvertent disclosure
 - Waiver of privilege
 - ▶ Suggestions and further information
- 

D. Scope of Representation

- ▶ Responsibilities of lawyer and client
 - Three models of the attorney–client relationship
 - Unbundled legal services; limited representation
 - Need for the scope of the representation to be clearly explained in the engagement letter or fee agreement
 - ▶ Relevant ethics rules
 - Lawyers
 - Paralegals
 - ▶ Specific issues
- 

E. Conflicts of Interest

- ▶ Kinds of conflicts of interest
 - Current clients
 - Former clients
 - Other professional relationships or roles
 - Personal relationships
 - Financial or other future advantage or benefit
 - ▶ Relevant ethics rules
 - Lawyers
 - Paralegals
- 

Any Questions?

Thank you for participating in this Institute
for Paralegal Education webinar!